

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ENTERTAINMENT SOFTWARE)
ASSOCIATION; VIDEO SOFTWARE)
DEALERS ASSOCIATION; and)
MICHIGAN RETAILERS)
ASSOCIATION,)
)
Plaintiffs,)
)
vs.)
)
JENNIFER M. GRANHOLM, in her)
official capacity as Governor of the State of)
Michigan; MICHAEL A. COX, in his)
official capacity as Attorney General of the)
State of Michigan; and KYM L. WORTHY)
in her official capacity as Wayne County)
Prosecuting Attorney,)
)
Defendants.)

DECLARATION OF KEN CHAN

Pursuant to 28 U.S.C. § 1746, I, Ken Chan, under penalty of perjury state as follows:

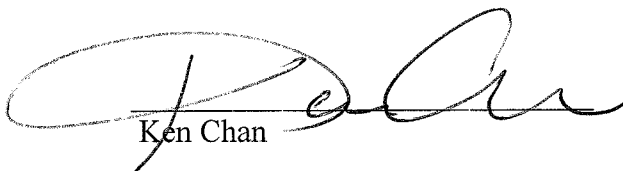
1. I am currently employed as a marketing specialist at Sony Computer Entertainment America Inc. ("SCEA"). I have held this position since Spring 1996. As a result of my duties as a marketing specialist, I have personal knowledge of the facts stated in this declaration.

2. SCEA is a publisher, developer and distributor of interactive entertainment software. SCEA publishes video games for the PS one console, the PlayStation® 2 computer entertainment system, and the PSP™ (PlayStation® Portable). SCEA is based in Foster City, California, and serves as headquarters for all North American operations. SCEA is a wholly owned subsidiary of Sony Computer Entertainment Inc.

3. One of the video games that SCEA publishes is entitled "*God of War*." A true and accurate copy of the PlayStation 2 version of *God of War*, in its entirety and final form, is attached as Exhibit A to this Declaration. A videotape of *God of War* being played is attached as Exhibit B to this Declaration. I certify that Exhibit B is a true, accurate, and representative sample of *God of War*.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on September 15, 2005.


Ken Chan

**Exhibits A (video game “God of War”) & B
(videotape of “God of War”) to the
Declaration of Ken Chan are enclosed in a
separately filed envelope.**